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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



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DIRECTOR

Submitted: March 23, 2015
To: Natural Resources Commission
Subject: NRC Policy Review

At the request of the Natural Resources Commission (NRC) and the NRC Governance Workgroup, the Department of Natural Resources (DNR) has conducted a review of the NRC policies and the format for communicating proposals for regulatory change to the NRC.

Policy number 2117 is no longer aligned with current NRC authority. Policy number 1003 has been revised to provide guidance regarding content for background information for proposed regulation changes.

The traditional process for repealing outdated policies is through adoption of a resolution.

The resolution is attached.

NATURAL RESOURCES COMMISSION

RESOLUTION ON ORDERS BROUGHT BEFORE THE COMMISSION

WHEREAS, the Natural Resources Commission has exclusive authority to regulate the taking of game and sportfish* in Michigan, and

WHEREAS, the commission may issue orders to establish lawful methods and manner of take, and

WHEREAS, the order process typically includes a memorandum to provide background for the proposed regulatory change, and

WHEREAS, the presentation of wildlife and fisheries orders* has historically involved process differences, and

WHEREAS, the commission seeks a more standardized presentation of background information relevant to proposed regulatory changes, to achieve a more complete understanding of the issues related to an order,

NOW, THEREFORE BE IT RESOLVED that background memoranda which accompany wildlife and fisheries orders * and memoranda regularly include known or anticipated social, biological, and economic impacts associated with the proposal.

BE IT FURTHER RESOLVED, that background memoranda* consistently address whether the proposal is social or biologically driven, pros and cons and formal positions of stakeholder groups, whether other states' experiences influence the recommendation, relevant surveys or studies that were used, known costs or economic benefits expected.

BE IT FURTHER RESOLVED that the existing NRC policy 2117 be rescinded and policy 1003 be revised.



NATURAL RESOURCES COMMISSION POLICY

1003 – Orders Brought before the Commission (Issued/Revised: 03/24/2015)

Supersedes:

1003 – Natural Resources Commission Policy - Differing Opinions on Matters Brought before the Commission, dated June 10, 1993.

Purpose:

The Natural Resources Commission (NRC) has the exclusive authority to regulate the taking of game and sport fish in Michigan. In exercising this authority, the NRC shall, to the greatest extent practicable, utilize principles of sound scientific management which has been found to be in the public interest. In exercising this exclusive authority, it is the NRC's objective to act in a way that is transparent, achieve a full and complete understanding of the issues related to a proposed Fisheries or Wildlife order, be informed about all material information and data relating to any such order, and complete a considered review of any such proposal prior to making any final decision with respect to such proposal.

Definitions:

Order – an order of the commission issued under section 40111a, 40113a, 48703a, or Part 435 of 1994 PA 451.

Policy:

This policy is intended to guide the process by which the NRC considers Wildlife or Fisheries orders to insure that the objectives identified above are achieved. In recognizing that action by the NRC on matters over which it has exclusive jurisdiction often starts with the receipt of recommendations from the Department, the NRC concludes that standardizing the form and content of such recommendations assists the NRC in achieving the objectives described above.

To the greatest extent practicable, orders shall be presented with memoranda which address the following matters:

1. Within the past five (5) years, have any surveys of Michigan hunters, fishers, or others been conducted with respect to or related to the proposal and recommendation?
2. Is there any Citizen's Advisory Committee that has considered the proposal presented to the NRC? If so, what has been the recommendation of the Citizen's Advisory Committee?
3. Please describe whether the proposal involves solely a social issue or involves scientific management matters.
4. If the proposal involves scientific management matters, please provide a summary of the scientific management matter involved and identify the applicable research, study or data that can be referred to.
5. Is there relevant experiences from other states that would help the NRC to better understand issues raised by this proposal? If so, please provide a summary of such information, data, and experiences by state.

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6. Are there conservation or other organizations that have communicated support or opposition to the proposal?
7. Are there budgetary or personnel implications to the adoption of the proposal?
8. Are there any identifiable economic benefits to the state if this proposal were to be approved?

Please provide a summary of the arguments for and against the proposal.

Related Reference:

1003 – Orders Brought before the Commission policy is hereby approved.

J.R. Richardson, Chair

Effective Date